

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
THE SHAAR FUND, LTD.,

Plaintiff,

v.

ATSI COMMUNICATIONS, INC.,

Defendant.
----- x

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KAPLAN'S

No. 07 Civ. 6960 (LAK)

STIPULATION

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DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 10/22/07

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for The Shaar Fund, Ltd. and ATSI Communications, Inc.:

1. ATSI Communications shall serve its answer or other response to The Shaar Fund, Ltd.'s Complaint no later than November 16, 2007.

2. If ATSI Communications moves to dismiss the complaint, The Shaar Fund shall serve its papers in opposition to the motion no later than January 7, 2008, and ATSI Communications shall serve its reply papers in support of the motion no later than January 25, 2008.

3. If ATSI Communications includes any counterclaims in its response to the complaint, The Shaar Fund shall serve its reply or other response to the counterclaims no later than January 7, 2008.

4. ATSI Communications shall serve its papers in opposition to The Shaar Fund's Motion for Partial Summary Judgment no later than December 18, 2007, and The Shaar Fund shall serve its reply papers in support of the motion no later than January 25, 2008.

5. All papers shall be served by email, to which the parties consent under Fed. R.

Civ. P. 5(b)(2)(D).

Dated: October 18, 2007

COVINGTON & BURLING LLP

By: _____

Jonathan M. Sperling

620 Eighth Avenue
New York, New York 10018

*Attorneys for Plaintiff
The Shaar Fund, Ltd.*

WHITE AND WILLIAMS LLP

By: _____

Sedgwick M. Jeanite

One Penn Plaza, Suite 1801
New York, New York 10119

Thomas I. Sheridan, III
HANLY CONROY BIERSTEIN &
SHERIDAN LLP
112 Madison Avenue
New York, New York 10016

*Attorneys for Defendant
ATSI Communications, Inc.*

SO ORDERED:

By: _____

UNITED STATES DISTRICT JUDGE

10/22/07